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ATTORNEY DOCKET NO.: 56100-5021-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
BOX CPA  
Washington, D.C. 20231

PRIOR APPLICATION: Examiner: K. A. Lacourciere  
Group Art Unit: 1635

CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST UNDER 37 C.F.R. § 1.53(d)

This is a request for filing a

[X] Continuation [ ] Divisional application under the Continued Prosecution Application procedure of 37 C.F.R. § 1.53(d) of prior application no. 09/215,257, filed December 18, 1998 entitled **GENETIC INHIBITION BY DOUBLE-STRANDED RNA**, by Andrew FIRE *et al.*

1. Please change the Attorney Docket No. to 56100-5021-01.
2. [X] Please enter the amendment previously filed on January 8, 2002 under 37 C.F.R. § 1.116.
3. [ ] A preliminary amendment is enclosed.
4. [X] The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 above.

CLAIMS FOR FEE CALCULATION				
	Claims Remaining After Amendment	Highest No. Previously Paid	at Rate of	Basic Fee Utility \$ 740.00 Design \$ 330.00
Total Claims (37 C.F.R. § 1.16(c))	- 29 =	43	\$ 18.00 each =	+0.00
Independent Claims (37 C.F.R. § 1.16(b))	- 6 =	6	\$ 84.00 each =	+0.00
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))			\$280.00	+
SUB-TOTAL =				\$740.00
Reduction by ½ for filing by a small entity				- \$
TOTAL FILING FEE =				\$740.00

02/25/2002 AMINDATA 00000014 500310 00215257

02 721432 740.00 CH  
02 721433 110.00 CH

5. ☐ Small entity status is claimed and

☐ was filed in the prior nonprovisional application and is still proper and desired.

6. Extension of Time

☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)-(d), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00

Extension fee due: \$110.00

☒ The Commissioner is authorized to charge the fee for a one month extension of time in the amount of \$55.00 to Deposit Account No. 50-0310.

Fee Payment

☐ Not Enclosed. NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.

This application is being filed under the provisions of 37 C.F.R. § 1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

☒ Payment Authorization:  
The Commissioner is hereby authorization to charge **\$850.00** to deposit account no. 50-0310 for the basic filing fee (\$740.00) and a one-month extension of time (\$110.00).

7. Inventorship

☐ This application is filed by fewer than all the inventors named in the prior application under 37 C.F.R. § 1.53(d)(4).

☐ DELETE the following inventors named in the prior application: \_\_\_\_

☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

8. ☒ Please address all correspondence to Morgan, Lewis & Bockius LLP at  
**1111 Pennsylvania Avenue, NW**  
**Washington, D.C. 20004**  
**Customer Number: 009629**

9. ☐ Recognize as associate attorney \_\_\_\_  
(name, address, and registration no.)

10. ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3)

11. Additional papers enclosed:

- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, \_\_\_\_\_ references included
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By:



Bonnie Weiss McLeod

Reg. No. 43,255

**Dated: February 19, 2002**

**MORGAN, LEWIS & BOCKIUS LLP**

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